



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Sol P. DiJaili, Jeffrey D. Walker, and John M. Wachsman  
APPLICATION NO.: 10/029,523  
FILING DATE: December 21, 2001  
TITLE: Optical 2R/3R Regeneration  
EXAMINER: Not yet known  
GROUP ART UNIT: 2873  
ATTY. DKT. NO.: 21153-05931

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## CERTIFICATE OF MAILING

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Dated: June 6, 2002

By: 

Michael Plimier, Reg. No.: 43,004

COMMISSIONER FOR PATENTS  
WASHINGTON, DC. 20231

## INFORMATION DISCLOSURE STATEMENT

Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO-1449 listing references for consideration by the Examiner. Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- ☒ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;

- ☐ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- ☐ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR §1.113; or (2) an action that otherwise closes prosecution in the application, and:
  - ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
  - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
    - ☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
    - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- ☐ before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
  - ☐ Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
    - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or
    - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a


foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

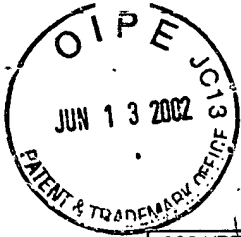
- ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
- ☐ after the payment of the issue fee. Applicant request that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. \_\_\_\_\_, filed on \_\_\_\_\_, and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- ☒ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,  
Sol P. DiJaili, Jeffrey D. Walker,  
and John M. Wachsman

Dated: June 6, 2002

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PTO/SB/21 (modified)  
Approved for use through xx/xx/xx, OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence during pendency of filed application)</i>	0001/PTO Rev. 10/95	U.S. Department of Commerce Patent and Trademark Office	Application Number	10/029,523
			Filing Date	December 21, 2001
			First Named Inventor	Sol P. DiJaili
			Group Art Unit Number	2873
			Examiner Name	Not yet known
Total Number of Pages in This Submission	10*	Attorney Docket Number		21153-05931

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ENCLOSURES (check all that apply)	
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Check Enclosed	<input type="checkbox"/> Issue Fee Transmittal
<input checked="" type="checkbox"/> Return Receipt Postcard	<input type="checkbox"/> Letter to Chief Draftsperson
<input type="checkbox"/> Response to Notice to File Missing Parts	<input type="checkbox"/> Formal Drawing(s): [ ] Sheet(s) of Figure(s) [ ]
<input type="checkbox"/> Assignment & Recordation Cover Sheet	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Declaration	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Power of Attorney	<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Application Data Sheet	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Information Disclosure Statement & PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Cited References	<input type="checkbox"/>
<input type="checkbox"/> Request for Corrected Filing Receipt	<input type="checkbox"/>
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<input type="checkbox"/> Status Request	<input type="checkbox"/>
<input type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/>

REMARKS: \*Number of pages does not include cited references

SIGNATURE OF ATTORNEY OR AGENT			
Signature:			
Attorney/Reg. No.:	Michael Plimier, Reg. No.: 43,004	Dated:	June 6, 2002

CERTIFICATE OF MAILING			
I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.			
Signature:			
Typed or Printed Name:	Michael Plimier	Dated:	June 6, 2002
Express Mail Mailing Number (optional):			

21153/05931/DOCS/1274366.1

0002 PTO (modified)  
Rev. 10/2001U.S. Department of Commerce  
Patent and Trademark Office

## Complete if Known

Application Number	10/029,523
Filing Date	December 21, 2001
First Named Inventor	Sol P. DiJaili
Group Art Unit	2873
Examiner Name	Not yet known
Attorney Docket Number	21153-05931

## FEE TRANSMITTAL

## TOTAL AMOUNT OF PAYMENT

Subtotal (1) + Subtotal (2) + Subtotal (3) = (\$ 0.00)

## METHOD OF PAYMENT

## 1. The Commissioner is hereby authorized to:

- ☐ Charge the indicated fees to the below mentioned deposit account.
- ☒ Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. †
- ☐ Applicant claims small entity status  
See 37 CFR 1.27

Deposit Account Number: 19-2555

Deposit Account Name: FENWICK &amp; WEST LLP

A Duplicate Copy of this authorization is attached

2. ☐ Payment Enclosed:☐ Check ☐ Credit Card ☐ Other

## FEE CALCULATION (fees effective 10/01/2001)

## 1. FILING FEE

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due
101/\$740	201/\$370	Utility Filing	<input type="checkbox"/>
106/\$330	206/\$165	Design Filing	<input type="checkbox"/>
108/\$740	208/\$370	Reissue	<input type="checkbox"/>
114/\$160	214/\$80	Provisional Filing	<input type="checkbox"/>

SUBTOTAL (1) (\$ 0.00)

## 2. CLAIMS

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description
103/\$18	203/\$9	Claims in excess of 20
102/\$84	202/\$42	Independent claims in excess of 3
104/\$280	204/\$140	Multiple dependent claim
109/\$84	209/\$42	Reissue independent claims over original patent
110/\$18	210/\$9	Reissue claims in excess of 20 and over original patent

## 3. ADDITIONAL FEES

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due
105/\$130	205/\$65	Surcharge - late filing fee or oath	<input type="checkbox"/>
127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet	<input type="checkbox"/>
147/\$2,520	147/\$2,520	For filing a request for reexamination	<input type="checkbox"/>
115/\$110	215/\$55	Extension for response within first month†	<input type="checkbox"/>
116/\$400	216/\$200	Extension for response within second month†	<input type="checkbox"/>
117/\$920	217/\$460	Extension for response within third month†	<input type="checkbox"/>
118/\$1,440	218/\$720	Extension for response within fourth month†	<input type="checkbox"/>
128/\$1,960	228/\$980	Extension for response within fifth month†	<input type="checkbox"/>
119/\$320	219/\$160	Notice of Appeal	<input type="checkbox"/>
141/\$1,280	241/\$640	Petition to revive unintentionally abandoned application	<input type="checkbox"/>
142/\$1,280	242/\$640	Utility Issue Fee (Or Reissue)	<input type="checkbox"/>
143/\$460	243/\$230	Design Issue Fee	<input type="checkbox"/>
122/\$130	122/\$130	Petitions to the Commissioner	<input type="checkbox"/>
126/\$180	126/\$180	Submission of Information Disclosure Statement	<input type="checkbox"/>
179/\$740	279/\$370	Request for Continued Examination (RCE)	<input type="checkbox"/>
581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)	<input type="checkbox"/>
146/\$740	246/\$370	Filing a submission after final rejection (37 CFR 1.129(a))	<input type="checkbox"/>
149/\$740	249/\$370	For each additional invention to be examined (37 CFR 1.129(b))	<input type="checkbox"/>

Other fee (specify): ☐Other fee (specify): ☐

SUBTOTAL (3) (\$ 0.00)

(Col. 1)		(Col. 2)		(Col. 3)		Fee	Fee Due
For	No. of Existing Claims	Highest No. Previously Paid For	Extra**				
TOTAL		minus* 20 or 0	=		x		=
INDEP		minus* 3 or 0	=		x		=
[ ] First presentation of multiple dependent claim							

\* Subtract the greater number of Col. 2

\*\* If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3

SUBTOTAL (2) (\$ 0.00)

## SUBMITTED BY

Typed or Printed Name Michael Plimier

## Complete (if applicable)

Reg. Number 43,004

Signature

Date

June 6, 2002

21153/05931/DOCS/1274368.1